

*File - Agency* *Source sig.*

Goal

Internal administration of non-CIARDS Agency retirees with defined procedures which, to maximum extent possible, preclude requirements for providing names and records of Agency employees/retirees to external organizations.

Comment - There are two potential methodologies to achieving the goal of internal administration -

(1) administrative fixes; (2) legislation.

Administrative fixes - The Administrative route is how our concerns have been handled in the past. This has grown substantially over the years to the system currently in existence (see attached for functions and records now handled by OPM on Agency CSRS and CIARDS participants and retirees). Perpetuating the Administrative agreement solution would require substantial departure from existing procedures to achieve an internally administered system. OPM would have to delegate to the Agency a substantial amount of their statutory authority in order for the Agency to carry out the functions in attached, i.e. adjudication and making CSRS annuity payments, approving disability retirements, etc. The effect of these functions is that OPM at some point gets the name of virtually every CIA employee. Delegation would require many adjustments in CSRS procedures to accommodate our relatively small in quantity, but vitally important requirements. Presuming this delegation is legally possible, it would still leave the Agency vulnerable to future laws and regulations and a continuing need



to put a bandaid on each subsequent change. Continuation and promulgation of such agreements would also be dependent upon future administrations within the external organizations remaining agreeable to maintaining these arrangements.

Legislation on the other hand would be a permanent fix to this problem by giving statutory authority to the DCI to administer these programs. This would be consistent with his other responsibility to protect the names, identities, sources and methods associated with the Nation's foreign intelligence effort. Any future changes to the retirement system could be handled within this authority.